

REMARKS

Claims 9 through 17 remain pending in the present application. Claim 17 has been amended. Basis for the amendments can be found throughout the specification, drawings and claims as originally filed.

The undersigned attorney would like to thank Examiner Rachuba for the courtesies extended to him during the personal interview on March 13, 2003. During the interview, an agreement was not reached. At the interview, the Bourke reference, as well as above claim 17, were discussed. The Examiner believes Bourke to read on Applicant's invention.

Rejection Under 35 U.S.C. §102(b)

The Examiner has rejected Claims 9 through 17 under 35 U.S.C. §102(b) as being anticipated by Bourke.

"A rejection for anticipated under §102 requires that each and every limitation of the claimed invention be disclosed in a single prior art reference. (Cite omitted) In addition, the reference must be enabling and describe the Applicant's claimed invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention. In re Paulsen, 37 U.S.P.Q. 2d, 1671 (Fed. Cir. 1994) at 1673."

The Bourke reference relied on by the Examiner fails to disclose every limitation of the claimed invention and also fails to sufficiently place the invention in possession of a person of ordinary skill in the field of the invention.

Specifically, Bourke does not disclose a power saw with a body and a motor housed within the body. Bourke does not illustrate a motor arranged to power a reciprocating shaft on which a blade for sawing may be mounted. Likewise, Bourke fails to disclose a sole plate which

enables a blade mounted on a reciprocating shaft to pass through the sole plate. Further, Bourke fails to disclose a body with a recess to receive the sole plate.

Bourke illustrates a drill which includes an auxiliary apparatus to accomplish sawing. Bourke does not disclose the motor and the reciprocating mechanism housed within a body like that of a power saw as claimed by Applicant. Further, Bourke does not disclose a sole plate which enables the blade to pass through it. Bourke discloses a sole plate positioned beside a saw blade and not a saw blade passing through the sole plate. This is evident in Bourke as shown in Figures 1 through 3. Thus, Bourke failed to show every feature of the claimed invention. Thus, Bourke is not a proper reference under §102. Further, Bourke neither discloses nor suggests Applicant's invention and makes it an improper reference under §103.

Thus, in light of the above amendments and remarks, Applicant would submit that all pending claims are in condition for allowance. Accordingly, Applicant respectfully requests the Examiner to pass the case to issue at her earliest possible convenience. Should the Examiner have any questions regarding the present application, she should not hesitate to contact the undersigned at (248) 641-1600.

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Respectfully submitted,

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